

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Hageman *et al.* Confirmation No.: 2257
Appl No.: 09/944,930 Group Art Unit: 1647
Filed: August 31, 2001 Examiner: Jon M. Lockard, Ph.D.
For: STABILIZED FGF FORMULATIONS CONTAINING REDUCING AGENTS

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

This is in response to the Office Action dated September 9, 2008, in which the Examiner has required restriction between Group I, namely Claims 1-14, drawn to an FGF-containing pharmaceutical composition, and Group II, namely Claims 15-22, drawn to a method for stabilizing an FGF-containing pharmaceutical composition. Applicants hereby elect without traverse to prosecute the claims of Group I (Claims 1-14) and expressly reserve the right to file a divisional application or take such other appropriate measures deemed necessary to protect the inventions in the remaining claims.

Applicants note that the Examiner has required restriction between product and process claims. In view of Applicants' election of Group I, it is understood that should the elected product claims subsequently be found to be allowable, the corresponding process claims will be considered for rejoinder providing that they depend from or otherwise require all of the limitations of the allowable product claims. It is also understood that if rejoined, the restriction between the product claims and the corresponding process claims would be withdrawn, and that the process claims would then be examined for patentability.

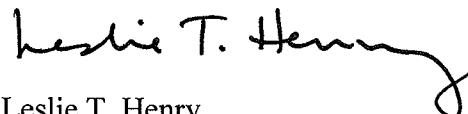
Should the Examiner have further questions or comments with respect to examination of this case, it is respectfully requested that the Examiner telephone the undersigned so that further examination of this application can be expedited.

It is not believed that extensions of time are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional

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Amdt. Dated March 6, 2009
Reply to Restriction Requirement of September 9, 2008

extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



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